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AN ACT
RELATING TO COMMERCIAL INSTRUMENTS AND TRANSACTIONS;
RESTRICTING THE CREDIT CARD ACCOUNT NUMBER INFORMATION THAT
CAN BE DISCLOSED; ENACTING THE PRIVACY PROTECTION ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE. --Sections 1 through 3 of this
act may be cited as the "Privacy Protection Act".

Section 2. DEFINITIONS. --As used in the Privacy
Protection Act:

A. "business" means a commercial enterprise
that:

- (1) sells or leases or intends to sell or
lease products, goods or services to consumers;
- (2) is an agent of a business described in
Paragraph (1) of this subsection; or
- (3) is an agent of a nonprofit organization
selling marketing services to that organization; and

B. "consumer" means a natural person, who is a
resident of New Mexico, and who purchases, leases or
otherwise contracts for products, goods or services within
New Mexico that are primarily used for personal, family or
household purposes.

Section 3. DISCLOSURE OF SOCIAL SECURITY NUMBER. --

A. Except as provided in Subsection B of this

1 section, no business shall require a consumer's social
2 security number as a condition for the consumer to lease or
3 purchase products, goods or services from the business.

4 B. Nothing in this section prohibits a business
5 from requiring or requesting a consumer's social security
6 number if the number will be used in a manner consistent
7 with state or federal law or as part of an application for
8 credit or in connection with annuity or insurance
9 transactions.

10 C. Nothing in this section prohibits a business
11 from acquiring or using a consumer's social security number
12 if the consumer consents to the acquisition or use.

13 D. A company acquiring or using social security
14 numbers of consumers shall adopt internal policies that:

15 (1) limit access to the social security
16 numbers to those employees authorized to have access to that
17 information to perform their duties; and

18 (2) hold employees responsible if the
19 social security numbers are released to unauthorized
20 persons.

21 Section 4. A new section of the Credit Card Act is
22 enacted to read:

23 "PROHIBITED DISCLOSURE OF CREDIT CARD NUMBER. -- A person
24 who accepts a credit card from a cardholder shall not issue
25 a receipt that lists more than five numbers from the

